

BEFORE THE ARIZONA CORPORATION COMMISSION

JEFF HATCH-MILLER
Chairman
WILLIAM A. MUNDELL
Commissioner
MARC SPITZER
Commissioner
MIKE GLEASON
Commissioner
KRISTIN K. MAYES
Commissioner

Arizona Corporation Commission
DOCKETED

MAY 0 5 2005

DOCKETED BY	<i>me</i>
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MAY 0 9 2005

**AZ Corporation Commission
Director Of Utilities**

IN THE MATTER OF THE APPLICATION
OF TONTO BASIN WATER COMPANY,
INC., AN ARIZONA CORPORATION, FOR
APPROVAL OF A WATER
AUGMENTATION SURCHARGE TARIFF

DOCKET NO. W-03515A-05-0187

DECISION NO. 67817

ORDER

Open Meeting
May 3 and 4, 2005
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. Tonto Basin Water Company, Inc. ("Company") is certificated to provide water as a public service corporation in the State of Arizona.

2. On March 15, 2005, the Company filed a water augmentation surcharge tariff.

3. The Company's proposed tariff would allow the Company to make monthly adjustments to its rates and charges for water service to recover costs incurred for water augmentation costs, including bulk water purchases and transportation, which could occur if a curtailment plan tariff is approved by the Commission.

4. On March 17, 2005, the Company docketed a letter agreeing to waive the applicable timeclock.

5. The Company is located in the Roosevelt Lake area in Gila County and Florence area in Pinal County. The five independent water systems are; Lake Roosevelt Gardens East,

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1 Roosevelt Lake Estates, Lake Roosevelt Gardens West, North Bay and Cactus Forest Systems
2 serving a total of approximately 2,100 customers.

3 6. The Company's proposed water augmentation surcharge tariff was developed based
4 on the tariff approved for Pine Water Company, Inc. ("Pine Water") in its most recent rate case
5 order, Decision No. 65914 (May 16, 2003). The surcharge will be calculated by:

6 "Dividing the total water hauling costs incurred in a given month by the amount of
7 water sold that month. The resulting rate per 1,000 gallons will then be multiplied
8 by the gallons used in that month for each customer to arrive at the surcharge per
9 1,000 gallons. The resulting water augmentation surcharge would then be charged
in the next month's billing cycle as a separate line item on the customer's bill."

10 7. According to the Company, the imposition of this surcharge will have no impact on
11 the rate of return realized by the Company.

12 8. Staff has reviewed the proposed surcharge tariff and finds that this request can only
13 be considered in the context of a rate case filing. The requested surcharge is not revenue neutral
14 and would increase or decrease the Company's revenues or expenses.

15 9. Staff recommends denial of the Company's Water Augmentation Surcharge Tariff.

16 CONCLUSIONS OF LAW

17 1. The Company is an Arizona public service corporation within the meaning of
18 Article XV, Section 2, of the Arizona Constitution.

19 2. The Commission has jurisdiction over the Company and of the subject matter in
20 this Application.

21 3. The Commission, having reviewed the request for approval of the tariff and Staff's
22 Memorandum, dated April 19, 2005, and concludes that it is not in the public interest to approve
23 the Water Augmentation Surcharge Tariff.

24 4. Under Article XV, Section 14 of the Arizona Constitution, the proposed tariff
25 cannot be approved without a fair value finding.

26 ...

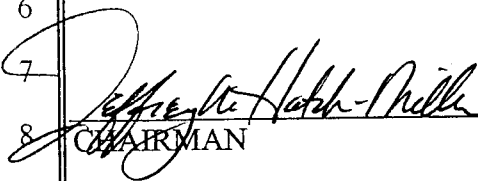
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ORDER

IT IS THEREFORE ORDERED that the proposed Water Augmentation Surcharge Tariff for Tonto Basin Water Company, Inc. is denied.

IT IS FURTHER ORDERED that this Order shall become effective immediately.

BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION
CHAIRMAN
COMMISSIONER

COMMISSIONER


COMMISSIONER
COMMISSIONER

IN WITNESS WHEREOF, I BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 5th day of May, 2005.


BRIAN C. McNEIL
Executive Secretary

DISSENT: _____

DISSENT: _____

EGJ:MSJ:red\TS

SERVICE LIST FOR: Tonto Basin Water Company, Inc.

DOCKET NO. W-03515A-05-0187

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